



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

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July 17, 2020

**BY ECF**

Honorable Lewis J. Liman  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

Re: Mejia v. The City of New York, et al.,  
16 CV 09706 (LJL)

Your Honor:

I am the Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department representing defendants City of New York (City), Police Officer Madeline Cruz, Police Officer Mildred Rodriguez, Sergeant Michael Hennelly, Detective Dominic McDonagh, and Detective Derek Moyer in the above-referenced matter. I write as a courtesy on behalf of plaintiff Mejia who is requesting an extension of time to July 31, 2020 to respond to defendants' interrogatories, document requests, and HIPAA release forms. Defendants, including defendants New York City Health and Hospitals Corporation and Mark A. Schear represented by Heidell, Pittoni, Murphy & Bach, LLP, consent to plaintiff's request. Additionally, as a result of plaintiff requiring more time to respond, the parties also write to respectfully request that fact discovery be extended to November 20, 2020; expert discovery be extended to January 8, 2021; and to adjourn the December 4, 2020 status conference to January 15, 2021, or to a date and time convenient to the Court.

By way of background, on June 9, 2020 a status conference was held where the Court set the following schedule: "Defendants shall mail to Plaintiff (i) HIPAA forms identifying medical providers, (ii) requests for documents, and (iii) interrogatories, along with instructions and self-addressed and self-stamped envelopes, by June 30, 2020. Plaintiff shall complete the HIPAA forms, requests for documents, and interrogatories and mail these documents two weeks from the day that he receives these forms. Fact discovery shall be completed by September 23, 2020. Expert discovery shall be completed by November 25, 2020. A telephonic status conference is scheduled for December 4, 2020 at 3:00 p.m. The parties are directed to dial into the Court's teleconference number at 888-251-2909, Access Code 2123101, and to follow the necessary prompts. Defendants are directed to mail a copy of this Order, as well as the transcript of the June 9, 2020 status conference, to Plaintiff." Civil Docket No. 261, filed June 11, 2020.

Immediately following the June 9, 2020 status conference, I provided plaintiff Mejia with the NYLAG telephone number discussed during the conference. Additionally, on June 22, 2020 plaintiff Mejia's sister, Sandra Mejia, contacted me and informed me that plaintiff was staying at the Promenade Rehabilitation Center located at 1-40 Beach 114th Street, Far Rockaway, New York 11694. In compliance with the Court's June 9, 2020 order, the defendants then mailed a copy of the HIPAA forms identifying medical providers, requests for documents, and interrogatories, that had been previously produced to plaintiff in this litigation, to the aforementioned Promenade Rehabilitation Center address. Furthermore, the defendants have also mailed plaintiff a copy of the June 9, 2020 status conference transcript and a copy of the Court's June 9, 2020 Order.

I was recently contacted by plaintiff Mejia's sister again who informed me that plaintiff received defendants' productions on or about June 30, 2020, but due to medical issues and limitations created by the COVID 19 pandemic, plaintiff requires an extension to July 31, 2020 to respond. I then called plaintiff who confirmed that he requires until July 31, 2020 to respond, whereupon extensions for the other discovery deadlines in this matter were also discussed. Due to plaintiff requiring more time to respond, the parties also respectfully request that fact discovery be extended to November 20, 2020 and that expert discovery be extended to January 8, 2021.

Finally, again in light of plaintiff requiring more time, the parties also respectfully request an adjournment of the status conference currently scheduled for December 4, 2020, at 3:00 p.m. until January 15, 2021 or to a time that is convenient for the Court.

Thank you for your consideration of this request.

Respectfully submitted,

Morgan C. McKinney, Esq.

Morgan C. McKinney, Esq.

Assistant Corporation Counsel

cc: **BY FIRST-CLASS MAIL**  
Ramon I. Mejia  
*Pro Se Plaintiff*  
Promenade Rehabilitation Center  
1-40 Beach 114th Street  
Far Rockaway, New York 11694

GRANTED. Plaintiff shall mail his responses by July 31, 2020.

Fact discovery shall be completed by November 20, 2020 and expert discovery shall be completed by January 8, 2021. The status conference is adjourned to January 15, 2021 at 3:00 p.m.

cc: **BY ECF**  
Joseph E. Shmulewitz, Esq.  
Heidell, Pittoni, Murphy & Bach, LLP  
*Attorney for Defendants Schear  
and NYC Health and Hospitals Corp.*

SO ORDERD. 7/21/2020.

  
LEWIS J. LIMAN  
United States District Judge